

### REMARKS

Claims 1 to 30 are pending in the application, of which claims 1, 7, 11, 17, 21 and 27 are independent. Favorable reconsideration and further examination are respectfully requested.

In the Office Action, claims 4, 14 and 24 were rejected under the second paragraph of 35 U.S.C. §112. Specifically, the Office Action objected to the word "growing" as being indefinite. As shown above, Applicants have amended claims 4, 14 and 24 to replace the word "growing" with "obtaining". In view of these amendments, withdrawal of the §112 rejection is respectfully requested.

Claims 1 to 3, 5, 11 to 13, 15, 21 to 23 and 25 were rejected under §102(a) over U.S. Application Publication No. 2002/0061194 (Wu)<sup>1</sup>; and claims 4, 6, 14, 16, 24 and 26 were rejected under §103 over Wu in view of U.S. Application Publication No. 2001/0024326 (Nakamura). Applicants respectfully traverse these rejections.

Independent claim 1 defines a computer-implemented method of generating a shadow for a three-dimensional model having an infrastructure that includes a bone. The method includes projecting the bone onto a surface, and generating the shadow on the surface based on a projection of the bone.

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<sup>1</sup> Claims 1 to 3, 5, 11 to 13, 15, 21 to 23 and 25 were rejected under §102(a) over Wu. However, Wu was not published until May 23, 2002, which is after the October 17, 2001 filing date of the subject application. Wu was, however, filed on July 3, 2001, which is before the filing date of the subject application. Accordingly, the rejection over Wu is more properly a §102(e) rejection.

The applied art is not understood to disclose or to suggest the foregoing features of claim 1. In this regard, it was said in the Office Action that the wire frame display in Wu corresponds to projecting a bone onto a surface, and that Wu's application of a texture map (color) to the wire frame display corresponds to generating a shadow on a surface based on a projection of the bone. Applicants respectfully disagree with this characterization of Wu.

More specifically, in Wu, the wire frame display defines the model that it represents. Wu's wire frame display is not *projected* onto a surface as is the bone of claim 1. That being the case, applying color to the wire frame display could not possibly correspond to "generating a shadow on a surface *based on a projection*".

For at least the foregoing reasons, claim 1 is believed to be patentable. Independent claim 11 is an article of manufacture claim that roughly corresponds to claim 1; and independent claim 21 is an apparatus claim that roughly corresponds to claim 1. These claims are also believed to be patentable for at least the same reasons noted above with respect to claim 1.

In the Office Action, claims 7 to 9, 17 to 19, and 27 to 29 were rejected under §103 over Wu in view of U.S. Application Publication No. 2003/0011619 (Jacobs); and claims 10, 20 and 30 were rejected under §103 over Wu in view of Nakamura and Jacobs. Applicants respectfully traverse these rejections.

Independent claim 7 defines a computer-implemented method of generating a shadow for a three-dimensional model having an infrastructure that includes a bone. The method includes generating a bounding volume for the bone, and generating the shadow by projecting a shape of the bounding volume onto a surface.

The applied art is not understood to disclose or to suggest the foregoing features of claim 7. In this regard, it was said on page 6 of the Office Action that Jacobs' bounding box (e.g., a car) corresponds to the bounding volume of claim 1. Even if we assume, for the sake of argument, that this statement is true (a point that Applicants do not concede), then there would still be no disclosure in Jacobs of generating a bounding volume from a bone. That is, Jacobs describes projecting a shadow from a bounding box, but does not disclose bones, much less generating the bounding box from a bone.

For at least the foregoing reasons, claim 7 is believed to be patentable. Amended independent claim 17 is an article of manufacture claim that roughly corresponds to claim 7; and amended independent claim 27 is an apparatus claim that roughly corresponds to claim 7. These claims are also believed to be patentable for at least the same reasons noted above with respect to claim 7.

Notwithstanding the foregoing, Applicants, Adam T. Lake and Carl S. Marshall, submit herewith the enclosed Declaration Under 37 C.F.R. 1.131 and the accompanying disclosure document, showing that Applicants reduced their invention to practice before the effective date of Wu, namely July 3, 2001. Applicants now submit that they have effectively antedated Wu. As all claim rejections, after the Examiner's thorough search of the prior art, relied at least in part on the Wu reference, Applicants respectfully request an indication that claims 1 to 30 are allowable.

In view of the foregoing amendments, remarks and submission, the entire application is now believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

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Applicants' attorney can be reached at the address shown below. Telephone calls regarding this application should be directed to 617-521-7896.

No fee is believed to be due for this Amendment; however, if any fees are due, please apply them to Deposit Account 06-1050.

Respectfully submitted,

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